

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

ANTONIO BELLAMY
Plaintiff,

V.

**ED GONZALEZ (SHERIFF), DARRYL
COLEMAN AND DR. LAXMAN SUNDER**
Defendants.

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CIVIL ACTION NO. 4:20-CV-2254

JURY DEMANDED

DEFENDANT’S NOTICE OF REMOVAL

Defendant Ed Gonzalez (“Defendant”) files this Notice of Removal pursuant to 28 U.S.C. §1441, and would respectfully show as follows:

1. Plaintiff Antonio Bellamy (“Plaintiff”) filed his Original Petition (“the Petition”) on May 20, 2020 under Cause No. 2020-30435, in the 333rd Judicial District Court of Harris County, Texas. Defendant was served with a copy of Plaintiff’s Original Petition on May 26, 2020.

2. Defendant's original notice of removal is being filed within thirty (30) days after service of the Plaintiffs’ Original Petition on Defendant which alleges a federal cause of action pursuant to 42 U.S.C. § 1983. In their Original Petition, Plaintiffs allege Defendant, Ed Gonzalez acted with indifference to the medical needs of protecting him from the threat of contracting Covid-19.

3. Original jurisdiction of this Court is proper pursuant to 28 U.S.C. §§ 1441(a) and 28 U.S.C. § 1331. Venue in this Court is proper because Harris County, Texas is located within the Southern District of Texas and the Houston Division thereof. Removal to this Court is, therefore, proper under 28 U.S.C. §§ 1441(a) and 1331. The Defendant consents to this removal in compliance with 28 U.S.C. §§ 1446(b)(2)(a).

4. Copies of all process and pleadings filed in Cause No. 2020-30435 have been provided to this Court.

5. Written notice of the filing of this Notice is being served on all adverse parties as required by 28 U.S.C. § 1446(d). A true and correct copy of this Notice will be filed with the District Clerk of Harris County, Texas, as required by 28 U.S.C. § 1446(d).

WHEREFORE, Defendant Ed Gonzalez, respectfully requests that this action be removed to the United States District Court.

Respectfully submitted,

VINCE RYAN
Harris County Attorney

/s/ Brandon Draper

BRANDON DRAPER

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ATTORNEY FOR DEFENDANT

ED GONZALEZ (SHERIFF), DARRYL

COLEMAN AND DR. LAXMAN

SUNDER

CERTIFICATE OF SERVICE

I hereby certify that June 26, 2020, a true and correct copy of the foregoing was served pursuant to the Federal Rules of Civil Procedure to:

Antonio Bellamy #0275125
Plaintiff Pro Se
1200 Baker St., 3E2B
Houston, Texas 77002

/s/ *Brandon Draper*

Brandon Draper
Assistant County Attorney